

HOUSE BILL 700  
By Jones S

AN ACT to amend Tennessee Code Annotated, Title 36,  
Chapter 5, relative to child support guidelines.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 36-5-101, is amended by inserting the following as a new, appropriately designated subsection thereto:

(u) Notwithstanding anything in this section to the contrary, the child support guidelines promulgated by the department of human services that became effective on January 18, 2005, are suspended as of the effective date of this subsection. Beginning on the effective date of this subsection, the child support guidelines which were in effect on January 17, 2005, are reinstated as the guidelines to be used by the courts of this state in applying this section.

SECTION 2. Tennessee Code Annotated, Title 36, Chapter 5, Part 1, is amended by inserting the following as a new, appropriately designated section thereto:

(a) There is created a temporary committee to be known as the Tennessee child support guidelines advisory committee. The committee shall review the child support guidelines proposed by the department of human services with an effective date of January 18, 2005, the child support guidelines in effect as of January 17, 2005, and any other policy, rule, regulation or guidelines adopted by or used previously by this state in order to draft, revise, and recommend to the general assembly those child support guidelines that the committee recommends to be used in Tennessee courts. The committee shall have as its goal the recommendation of guidelines that are simple to apply, easy to administer and enforce, fair to both parents, and that provide adequate support for children.

(b) The committee shall consist of the following twenty-eight (28) members:

(1) Two (2) senators appointed by the speaker of the senate;

(2) Two (2) members of the house of representatives appointed by the speaker of the house of representatives;

(3) Two (2) members appointed by the governor;

(4) One (1) member appointed by the commissioner of the department of human services;

(5) The legislative chair of the Tennessee Bar Association Family Law Section;

(6) The chair of the Tennessee judicial conference domestic relations committee;

(7) Four (4) judges from a court of record having jurisdiction over child support, one (1) from each of Davidson, Hamilton, Knox and Shelby counties, to be selected by the judges of each respective county;

(8) Four (4) judges from courts of record having jurisdiction over child support from counties other than Davidson, Hamilton, Knox and Shelby, two (2) of which shall be appointed by the chair of the senate judiciary committee and two (2) of which shall be appointed by the chair of the house children and family affairs committee;

(9) One (1) member appointed by the Tennessee council of juvenile and family court judges;

(10) The chief administrative officer of the juvenile court of Memphis and Shelby County;

(11) The chief legal counsel of the juvenile court of Memphis and Shelby County;

(12) A child support enforcement district attorney appointed by the Tennessee district attorneys general conference.

(13) One (1) Rule 31 certified family law mediator appointed by the chair of the Tennessee Bar Association Dispute Resolution Section;

(14) One (1) member appointed by the Legal Aid Society of Middle Tennessee and the Cumberlands.

(15) One (1) member appointed by DAD of Tennessee, Inc.;

(16) One (1) member appointed by the Tennessee Women's Political Caucus;

(17) One (1) member who is a family law professor appointed by the dean of the University of Memphis School of Law;

(18) One (1) member who is a family law professor appointed by the dean of the University of Tennessee College of Law; and

(19) The administrative director of the Tennessee administrative office of the courts.

(c) The committee shall be provided with meeting space in the legislative plaza subject to the discretion of the speaker of the senate. The committee may meet at that location or at such other location designated by the chair.

(d) The committee shall elect a chair at its first meeting. The chair shall appoint such subcommittees and ad hoc committees, and may convene such advisory groups, hold such hearings, invite such guests, convene such meetings, and otherwise conduct such business as the chair deems necessary for the committee to efficiently and effectively perform its duties and responsibilities.

(e) Fifteen (15) members of the committee participating at the meeting, as of the start of the meeting, shall constitute a quorum for the transaction of business at the

meeting. A majority of those members present at the start of the meeting shall be required for any action taken by the committee. Meetings may be conducted by use of telephonic equipment or other appropriate methods authorized by the chair, and members who take advantage of such methods shall be considered to be in attendance at the meeting for all purposes.

(f) Members of the committee shall serve without compensation, other than that compensation which each member may receive as part of that member's official function, if any.

(g) The committee shall present its final report to the to the senate judiciary committee and the house children and family affairs committee no later than January 15, 2007, or earlier in the discretion of the committee, and the committee shall cease to exist after presenting its final report.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.